

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EUGENE SCALIA, SECRETARY OF LABOR, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

EAST PENN MANUFACTURING CO.,

Defendant.

Civil No. 5:18-cv-01194

DECLARATION OF [REDACTED]

Under 28 U.S.C. § 1746, I, [REDACTED], declare:

1. I have worked at East Penn Manufacturing Company ("East Penn") for the last

[REDACTED] years starting in [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[illegible]

[REDACTED]

[REDACTED]

■ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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■ [REDACTED]
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[REDACTED]

■ [REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED]
[REDACTED]

43. Around March or April 2019, I was working on the floor when I saw Dan, who is one of the co-owners of East Penn, walking around the floor talking to people. It was probably mid- to late-morning.

45. I saw Dan talking to one of the other maintenance guys, Fred Stein.

47. Dan asked me if I would talk to one of East Penn's lawyers about my daily routines.

49. After that, Dan walked away to talk to other people in the area and I went back to work.

50. Later that day, I think it was after lunch, Dan put out an announcement over the public announcement system for me to use a floor phone to call him at some extension.

51. When I called the number, Dan answered the phone and told me to come up to one of the supervisor's offices.

52. I walked up to the office, which I think was the plant manager's office, and the door was open, so I walked right in.

53. When I got into the office, Dan and a lawyer were sitting down. The lawyer introduced himself, but I do not remember his name. The lawyer did not give me his business card.

54. The lawyer started asking me questions about my daily routine. I do not remember all of the questions, but they were focused on when I clocked in, when I clocked out, and how long it took me to put on my uniform, shower, and get changed at the end of the day.

55. While the lawyer asked me questions, I saw Dan taking notes on a computer.

56. I remember at one point feeling like the lawyer wanted me to change the time I said I clocked in. I think I told the lawyer that I usually clock in at 5:46 am, but the lawyer kept suggesting that I actually clocked in at 5:47 am. I remembered that interaction because I thought it was odd that East Penn cared since they never paid me for the time anyway. They didn't really focus on the time I punched out though, just the time I punched in.

57. I do not remember if I signed anything at the end of the interview, which took about ten (10) or fifteen (15) minutes. I know that I did not get a copy if I did sign anything.

58. By the end of the day, I think I remember hearing from my coworkers that about thirty people that day went to talk with the East Penn's lawyers.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1-16, 2020

